

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David G. Beer *et al.*

Serial No.: 10/617,067

Group No.: 1643

Filed: 07/10/03

Examiner: Sang

Entitled: **Expression Profile of Lung Cancer**

DECLARATION OF INVENTOR
DAVID G. BEER UNDER 37 C.F.R. § 1.132

EFS Web Filed
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

To Whom It May Concern:

1. I certify that David G. Beer, Sharon Kardia, Thomas J. Giordano, Jeremy Taylor, Samir M. Hanash, Chiang-Ching Huang, David E. Misek, Dafydd Thomas and Rork Kuick are the inventors of the subject matter embodied in the above-identified patent application.

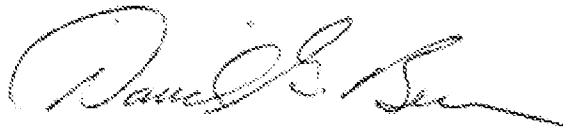
2. I have read and understand the specification and claims of the above-named patent publication.

3. I am listed as a co-author, along with five other authors on the following publication:

Guoan Chen, Tarek G. Gharib, Chiang-Ching Huang, Dafydd G. Thomas, Kerby A. Shedden, Jeremy M.G. Taylor, Sharon L.R. Kardia, David E. Misek, Thomas J. Giordano, Mark D. Iannettoni, Mark B. Orringer, Samir M. Hanash, and David G. Beer, "Proteomic Analysis of Lung Adenocarcinoma: Identification of a Highly Expressed Set of Proteins in Tumors," Clinical Cancer Research, 8: 2298 July 2002.

4. I confirm that, with respect to the reference listed in paragraph 3, that none of the listed authors other than David G. Beer, Sharon L. R. Kardia, Thomas J. Giordano, Jeremy Taylor, Samir M. Hanash, Chiang-Ching Huang, David E. Misek, and Dafydd Thomas were involved with the inventive process relating to the above-named invention. Guoan Chen, Tarek G. Gharib, Kerby A. Shedden, Mark D. Iannettoni, and Mark B. Orringer worked under my supervision and direction. These authors were listed as co-authors of this publication in order to acknowledge their collaboration in the research program under my direction.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.



Dated: 8-8-07

By: _____
David G. Beer